REMARKS

The Office Action mailed April 1, 2009 has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. Accordingly, reconsideration of the present Application in view of the following remarks is respectfully requested.

Claim Status

Claims 1 – 10 are pending. By this Amendment, Applicant has amended Claims 1 and 3 in order to clarify and to further point out, with particularity the subject matter that Applicant regards as the invention. Consequently, the claims under consideration are believed to include Claims 1 – 10.

Claim Rejections under § 112, second paragraph

Claims 1 – 10 stand rejected under 35 U.S.C §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Office states, "Throughout claim 1, in the definition of Y, an "or" should be inserted between "$HOSO_3$-" and "halogen-substituted". There are four instances where the correction should be made.

In claim 3, in the definition of M, an "or" should be inserted between "carboxyl," and "hydroxyl".

In claim 3, the last line states that X_1 and X_2 are as defined above. However, X_1 and X_2 are not defined above in the claim."

By this Amendment, Applicant has amended Claim 1 to include an "or" in 4 places. Applicant has also amended Claim 3 by inserting an "or" between "carboxyl," and "hydroxyl" and has inserted the definition of X_1 and X_2 as proffered by the Office, as such the Applicant courteously requests reconsideration and withdrawal of the rejection of Claims 1 – 10 under 35 USC §112, second paragraph.

Claim Rejections Under 35 USC § 103

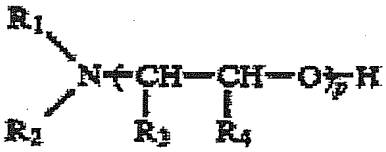
Claims 1 – 10 stand rejected under 35 USC § 103(a) as being unpatentable over Kaser (US 5211719) in view of Breton, et al., (US 5129948). This rejection is respectfully traversed.

With respect to independent claim 1, the Office is of the position that:

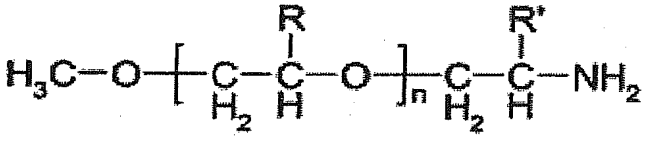
> "Kaser discloses concentrated aqueous solutions that are similar to those claimed that are used for dyeing and printing paper and textile materials such as cellulose. The dyes used in the concentrated aqueous solutions of Kaser are the dyes of instant formula I wherein D is a radical of the formula (a); M is an unsubstituted or substituted phenyl; B is hydrogen or an unsubstituted aryl radical; and n is 1. Note column 3, lines 1 to 10 and the Examples of Kaser."

And yet, in the middle of page 4, the Office admits:

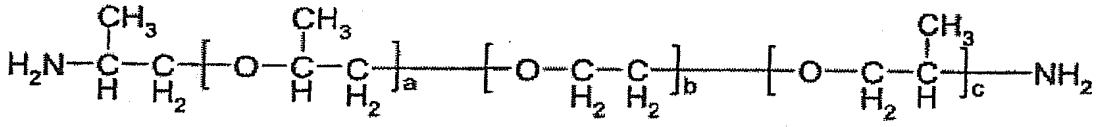
"The concentrated aqueous solutions of Kaser differ from those claimed only in that a different polyglycol amine is used. Kaser uses polyglycol amines of the formula



whereas in the claimed concentrated aqueous solutions, at least one polyalkeneamine of the formula

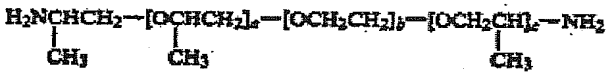


or



is used."

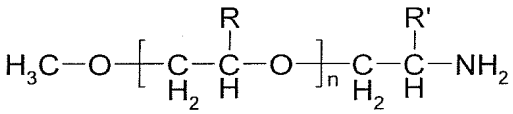
The Office attempts to invoke Breton, et al., for the teaching of a liquid carrier, a colorant, and may contain a primary or secondary polyalkylene amine, for example of the formula



The Office proffers that the polyalkyleneamines of this formula are encompassed by Formula (III) of the instant claims, and that Breton, et al. disclose the addition of the primary or secondary polyoxyalkylene amine to reduce the drying time of the ink compositions while maintaining good print quality.

However, the Office, courteously stated, is in error when comparing Breton, et al. with the instant invention. In Breton, et al., respectfully stated the concern is producing an acceptable quality print with reduced drying times, while the instant invention is directed toward a long term stable concentrated solution of the claimed colorants. These are starkly different products.

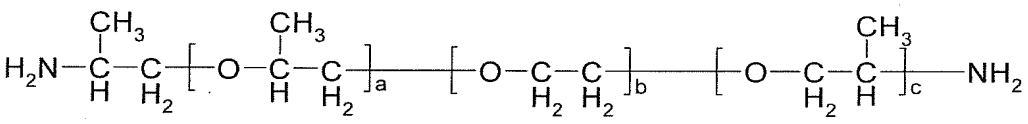
In order to make a *prima facie* case of obviousness, it is beyond contention that each and every aspect of a claimed invention must be taught by the prior art. Here, the Office fails to establish a *prima facie* case for this exact reason. The prior art does not teach, disclose or suggest a concentrated aqueous solution, comprising at least one of a salt or a free acid of an anionic dye and at least one of the polyoxyalkyleneamines of the formula



(II)

where n = 10 to 50 and wherein R and R' are independently H or methyl

or of the formula



(III)

where a + c = 2 to 6 and b = 2 to 40

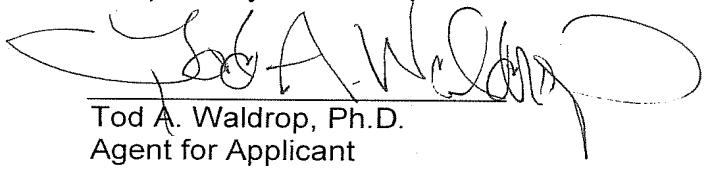
with the proviso that the molecular weight of the polyoxyalkyleneamine (II) or polyoxyalkyleneamine (III) is less than 1000 as defined by independent claim 1. Given this deficiency, for at least this reason, it is respectfully submitted that the Office has not made a *prima facie* case of obviousness with regard to claim 6.

In view of the foregoing, it is respectfully contended that the 35 USC § 103 rejection has been traversed. In consequence, Applicants courteously solicit reconsideration and withdrawal of the rejection.

As the total number of claims does not exceed the number of claims originally paid for, no fee is believed due. However, if an additional fee is required, the Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 03-2060.

In view of the forgoing amendments and remarks, the present Application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, please contact the Agent for Applicant at the telephone number provided below.

Respectfully submitted,



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